



**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER C-8-11**

TELEPHONE: (604) 660-4700
BC TOLL FREE: 1-800-663-1385
FACSIMILE: (604) 660-1102

SIXTH FLOOR, 900 HOWE STREET, BOX 250
VANCOUVER, BC V6Z 2N3 CANADA
web site: <http://www.b cuc.com>

IN THE MATTER OF
the Utilities Commission Act, R.S.B.C. 1996, Chapter 473

and

An Application by FortisBC Energy Inc.
for Approval of an Operating Agreement
with the Corporation of the District of Peachland

BEFORE: L.F. Kelsey, Commissioner
C.A. Brown, Commissioner
D. Morton, Commissioner
June 9, 2011

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

WHEREAS:

- A. On November 10, 2010, Terasen Gas Inc. [(TGI) as FortisBC Energy Inc. (FEI) was formerly known] applied to the British Columbia Utilities Commission (Commission) for approval of an extension of the Franchise Agreement (Amending Agreement) with the Corporation of the District of Peachland (Municipality) and TGI;
- B. The Franchise Agreement expired October 8, 2010;
- C. Commission Order C-10-10 approved the Amending Agreement which extended the terms and conditions of the Franchise Agreement to December 31, 2010;
- D. TGI and the Municipality entered into an agreement which extended the terms and conditions of the Amending Agreement to March 31, 2011 (Extension Agreement);
- E. On February 22, 2011, TGI applied to the Commission for approval of the Extension Agreement between TGI and the Municipality;
- F. The Commission was unable to consider approval of the Extension Agreement and issued a letter on March 22, 2011 requesting additional information from TGI. FEI responded to the Commission's letter on March 25, 2011;
- G. On May 9, 2011, FEI applied to the Commission for approval of an Operating Agreement between FEI and the Municipality;

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER** C-8-11

2

H. The Commission has reviewed the Application and considers that approval is warranted.

NOW THEREFORE the Commission, pursuant to section 45 of the *Utilities Commission Act*, approves the Extension Agreement as filed.

DATED at the City of Vancouver, in the Province of British Columbia, this 9th of June 2011.

BY ORDER

Original signed by:

D. Morton
Commissioner